two, or three candidates for nomination for representative is invalid. By the law of 1906 each party was to nominate only one candidate in each district. Each elector was to have only one vote. Other nominations for representative, if any, were to be made by the senatorial district conventions. The law of 1908 provided that the senatorial district committees of each party should by resolution fix the number of candidates for representative to be nominated by their party, and file a copy of each resolution with the secretary of state and the clerk of every county in each district. But the elector was restricted to only one vote for each of as many candidates as his party was to nominate, despite his constitutional right, upheld by the Supreme Court, to cast three votes for one, two or three candidates at his option. The present law retains word for word the provision that the party committees are to fix the number of candidates each party is to nominate. But the first genuine attempt to conform to the Constitution is made by providing that, "In all primaries for the nomination of candidates for representative in the General Assembly each qualified primary elector may cast three votes for one candidate, or may distribute the same or equal parts thereof among two or three candidates, as he shall see fit."

Finally, lest even this solution of the problem might fail to run the gauntlet of the courts, and so endanger the validity of the entire primary election law, the parts dealing with the nomination of candidates for representative in the legislature were taken out of the main statute and embodied in a separate act to stand or fall by itself. One possible flaw in this "little" primary act is the provision that the party committees are to fix the number of candidates to be nominated by each party. But if called in question it will probably be upheld; for the Supreme Court made a very similar suggestion in one of its opinions,[3] and in the last one declared that "if each party were required to nominate three candidates it would render nugatory the constitutional provision for minority representation."[4]

L. E. AYLSWORTH.

Probation and Juvenile Court Legislation. Twenty-five states in this country passed laws on probation and juvenile courts during 1909, such action being taken for the first time in Nevada, North Dakota, Oklahoma and South Dakota. Three states, Nevada, Oklahoma and South Dakota,

[3] Rouse vs. Thompson, 228 Ill. 522.
[4] People vs. Strossheim, 240 Ill. 297.

passed juvenile probation laws for the first time in 1909, and seven states, Colorado, Kansas, Minnesota, Nebraska, North Dakota, Pennsylvania and Wisconsin, authorized probation for the first time for adult offenders. The state of Maine, which had previously had probation only in one county and one city, enacted legislation making the system state-wide. Up to January 1, 1910, thirty-eight states, including the District of Columbia, had passed legislation on this subject. Twenty states now provide for probation among adults, and thirty-eight states for probation among children.

Two innovations in laws relating to the trial of juvenile and adult offenders are found in the Colorado laws of 1909. Since the passage of the original juvenile court law of Illinois in 1899, a number of states, including Colorado, have abolished criminal procedure in hearing cases against juvenile offenders, and have provided for the hearing of all cases against children in courts possessing chancery or equity jurisdiction. In Colorado, as in most other states having the equity procedure, the juvenile court has jurisdiction throughout the county. It is often inconvenient for children complained against, and for complainants and witnesses in the more remote parts of the county, to attend the juvenile court. As a result of efforts on the part of Judge Ben B. Lindsey of the Denver juvenile court an attempt has been made by chapter 158 of the Colorado laws of 1909 to remedy this difficulty arising from geographical conditions. This statute authorizes the juvenile court judge to appoint masters of discipline to hear cases against juvenile offenders in the outlying portions of the county. The masters of discipline are to direct the probation work among children under their jurisdiction. This is upon the theory that where the child cannot conveniently go to the juvenile court, the juvenile court should go to the child. The results of this legislation will be watched with interest by persons in other states.

The other innovation in Colorado was the passage of chapter 199 of the laws of 1909, providing that cases against adults charged with minor offenses, like those of juvenile offenders, may be tried by chancery procedure. The purpose of this legislation is to save defendants from the stigma of a criminal conviction, and to treat them not so much as offenders against the law, as unfortunates in need of the care and protection of the state. The wisdom of applying this procedure to adults can be determined only by actual experience.

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